



GEORGETOWN LAW
INSTITUTE FOR PUBLIC REPRESENTATION

Directors
Hope M. Babcock
Aderson Francois
Laura M. Moy
Benton Senior Counselor
Andrew Jay Schwartzman
Staff Attorneys
Yael Bromberg*
Peter DeMarco
Sarah Fox
Patrick Llewellyn
Drew T. Simshaw

600 New Jersey Avenue, NW, Suite 312
Washington, DC 20001-2075
Telephone: 202-662-9535
Fax: 202-662-9634

December 9, 2016

via electronic filing

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

RE: Notice of *Ex Parte* Meetings
Transition from TTY to Real-Time Text Technology
CG Docket No. 16-145, GN Docket No. 15-178

Dear Ms. Dortch:

On Wednesday, December 7, 2016, staff attorney Drew Simshaw of the Institute for Public Representation (IPR), Georgetown Law, counsel to Telecommunications for the Deaf and Hard of Hearing, Inc. (TDI); Christian Vogler of Gallaudet University Technology Access Program, Rehabilitation Engineering Research Center on Technology for the Deaf and Hard of Hearing (DHH-RERC), Paul Pattak of Gallaudet University (by phone); Gunnar Hellström of Omnitor (by phone); and Gregg Vanderheiden of Trace Center at the University of Maryland, Universal Interface and Information Technology Access Rehabilitation Engineering Research Center (UIITA-RERC) (by phone), met with Karen Peltz Strauss, Eliot Greenwald, Michael Scott, Bob Aldrich, and Suzy Rosen Singleton of the Consumer and Governmental Affairs Bureau (CGB), Holly Saurer of Chairman Wheeler's Office, and Jennifer Thompson of Commissioner Rosenworcel's office, to discuss the Real-Time Text draft order in the above referenced proceedings. Drew Simshaw and Christian Vogler also met with Erin McGrath of Commissioner O'Rielly's office to discuss the same item. On Thursday, December 8, 2016,

* Admitted to the bars of New York and New Jersey. Supervised by a member of the DC bar.

Christian Vogler, David Bahar of Communication Service for the Deaf (CSD), Gregg Vanderheiden, Paula Tucker of Gallaudet University Technology Access Program, Zainab Alkebsi of the National Association of the Deaf (by phone), Blake Reid, counsel to TDI (by phone), Gunnar Hellström (by phone), and Paul Pattak (by phone), met with Brendan Carr of Commissioner Pai's office and Erin McGrath of Commissioner O'Rielly's office. Claude Stout, Executive Director of TDI, also sent a letter, attached to this filing, to all Commissioners and their respective staff, as well as members of CGB.

In our meetings, we expressed support for the proposed order, consistent with the views expressed in filings throughout this proceeding by the RERCs and Omnitor, and by TDI with the support of consumer groups, including acceptable latency and error rates and the use of RFC 4103 as a safe harbor standard.

We reiterated that the transition from analog to IP-based wireless telecommunications is a once-in-a-lifetime opportunity to make RTT available to all users, and that all parties will benefit from this order, including carriers that will be released from their TTY obligations upon their implementation of RTT. This time also presents a unique opportunity to not just broaden accessibility for people with disabilities, but also to broaden the potential mainstream appeal of RTT. As industry moves ahead with design of its network and handsets, this opportunity will be lost if industry does not receive the go-ahead from the FCC with regard to RTT, and it will be difficult or impossible to retroactively redesign the system to include it.

We noted that industry initiated this rulemaking and that it is important in allowing them to have a path for moving away from TTY and to a modern IP based solution to replace it, which does not work well on IP networks. We also noted that this order is the culmination of tremendous efforts by and coordination among carriers, industry stakeholders, consumers, academics, and the Commission. These efforts have included consensus-building between the Technology Access Program at Gallaudet University, Trace, and Omnitor working with AT&T, as well as industry-supported recommendations on RTT approved by the Disability Advisory Committee. Such consensus between consumers and industry is rare and should be embraced, and is all the more reason to approve the order at this month's open meeting.

We also reiterated that one key element for industry throughout this proceeding has been the specification of RFC 4103 as a "safe harbor" standard. This standard need not be used now or in the future so long as each carrier interoperates with other carriers and services for which interoperability is required. But without a specified common standard for all entities to work toward when nothing else is agreed upon, none can move forward with the necessary confidence that they will not fail to interoperate with a standard chosen by another carrier. With a safe harbor standard, carriers will not have an obligation to work with any particular standard now or in the future – but will have one they can work with if they so choose, knowing they have safe harbor. We fully support this, as it is critical to achieving RTT interoperability across communication platforms, networks, services, and devices.

We stressed that failure to approve this order at the December meeting would be particularly troubling because the wireless industry has already engaged in technical standards work and product development in collaboration with representatives from consumer groups and

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academia. Industry is already moving forward with RTT implementation, and is looking for the necessary guidance, relief from the TTY requirements, and “safe harbor” standard specification from the FCC that it needs in order to do so.

We respectfully ask that given the broad process of consensus-building that has gone into this order, the marked absence of controversy, and the fact that this order provides industry with regulatory relief from the TTY regulations, the provision of a “safe harbor” standard, and the unique opportunity to usher telecommunication access into a new era, that the FCC proceed with a vote on this item at its December 15, 2016 open meeting.

We appreciate the opportunity to share our support for this important order, and look forward to working with the Commission and industry stakeholders throughout the transition from TTY to Real-Time Text technology. Please do not hesitate to contact me if you have any questions regarding this filing.

Respectfully submitted,

/s/

Drew Simshaw

Institute for Public Representation

Counsel to TDI

Attachment

CC (by email):Chairman Tom Wheeler
Commissioner Mignon Clyburn
Commissioner Jessica Rosenworcel
Commissioner Ajit Pai
Commissioner Michael O'Rielly
Karen Peltz Strauss
Eliot Greenwald
Michael Scott
Bob Aldrich
Suzy Rosen Singleton
Holly Saurer
Jennifer Thompson
Erin McGrath
Brendan Carr